

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

JOHANNES BONENBERGER et al.

Serial No.: 10/529,700

Filed: March 29, 2005

For: METHOD FOR DETECTING ANALYTES

Group Art Unit: Unknown

Examiner: Unknown

Atty. Dkt. No.: DEBE:056US

EXPRESS MAIL MAILING LABEL	
NUMBER	EV 674811104 US
DATE OF DEPOSIT	April 7, 2006

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C.  
371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

MS PCT

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

Sir:

In response to the Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US), dated February 7, 2006, there are enclosed herewith:

- (a) Declaration executed on behalf of JOHANNES BONENBERGER, JITKA POLACKOVA, SIGRID HAGENMAIER and Assignee in place of JAN VON KAMPEN (deceased);
- (b) A Power of Attorney on behalf of Cibitest GmbH & Co. KG;
- (c) Employment Contract for Jon Von Kampen;


- (d) Statement under 37 C.F.R. §3.73(b) executed on behalf of Cibitest GmbH & Co. KG; and
- (e) A copy of Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US).

An Assignment to Cibitest GmbH & Co. KG and a check for \$40.00 are being filed under separate cover.

If the check is inadvertently omitted, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included, the Commissioner is authorized to deduct or credit the appropriate fees from or to Fulbright & Jaworski Deposit Account No.: 50-1212/DEBE:056US.

Please date stamp and return the accompanying postcard to evidence receipt of these documents.

Respectfully submitted,

  
Steven L. Highlander  
Reg. No. 37,642  
Attorney for Applicants

FULBRIGHT & JAWORSKI L.L.P.  
600 Congress Avenue, Suite 2400  
Austin, Texas 78701  
(512) 474-5201

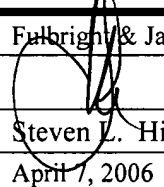
Date: April 7, 2006

<b>TRANSMITTAL FORM</b>	<b>Application Number:</b>	10/529,700
	<b>Filing Date:</b>	March 29, 2005
	<b>First Named Inventor:</b>	JOHANNES BONENBERGER
	<b>Art Unit:</b>	Unknown
	<b>Examiner Name:</b>	Unknown
Total Number of Pages in this Submission : _____		<b>Attorney Docket Number:</b> DEBE:056US

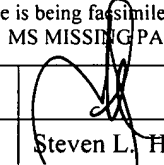
**ENCLOSURES (check all that apply)**

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Form PTO-1449 <input type="checkbox"/> References _____ <input type="checkbox"/> Certified Copy of Priority Documents <input checked="" type="checkbox"/> Reply to Missing Parts/Incomplete Application <input checked="" type="checkbox"/> Reply to Missing Parts/Requirements <input checked="" type="checkbox"/> Declaration(s) 1 <input checked="" type="checkbox"/> Copy of Notice of Missing Parts/Requirements	<input type="checkbox"/> Drawings(s) _____ <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input checked="" type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input checked="" type="checkbox"/> Statement under 37 CFR §3.73(b) <input type="checkbox"/> Designation of Patent Practitioners <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below) <input type="checkbox"/> Check in the amount of \$ <input checked="" type="checkbox"/> Authorized to be charged to deposit account if check insufficient or inadvertently omitted Deposit account number: <u>50-1212/DEBE:056US</u> <input type="checkbox"/> Sequence Statement <input type="checkbox"/> Paper Copy of Sequence Listing <input type="checkbox"/> Computer Readable Form (CRF) <input checked="" type="checkbox"/> Postcard <input checked="" type="checkbox"/> <u>Employment Contract</u> <input type="checkbox"/> _____
Remarks:		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	Fulbright & Jaworski L.L.P.	Customer Number	32425
Signature			
Printed Name	Steven L. Highlander	Reg. No.	37,642
Date	April 7, 2006		

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: MS MISSING PARTS, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or Printed Name	Steven L. Highlander	Date	April 7, 2006



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/529,700	Johannes Bonenberger	DEBE:056US

32425  
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600 CONGRESS AVE.  
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AUSTIN, TX 78701

FULBRIGHT &amp; JAWORSKI, LLP

IPT DOCKETING

Decketed ☐ Not Req'd ☐ Confirmation ☐

Initials 1st JA Initials 2nd JB

FEB 14 2006

Attorney SLHDocket No. DEBE:056US

Action Req'd

Date Due

Date Mailed: 02/07/2006

*Missing Parts due 4/7/06. Final 9/7/06.*

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 03/29/2005
- Copy of the International Search Report filed on 03/29/2005
- Preliminary Amendments filed on 03/29/2005
- Priority Documents filed on 03/29/2005
- Specification filed on 03/29/2005
- Claims filed on 03/29/2005
- Abstracts filed on 03/29/2005
- Drawings filed on 03/29/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

INTERNATIONAL APPLICATION NO.

PCT/DE03/03253

I.A. FILING DATE

PRIORITY DATE

09/30/2003

09/30/2002

CONFIRMATION NO. 2064

371 FORMALITIES LETTER



\*OC000000017924184\*

A copy of this notice **MUST** be returned with the response.

KAYA L LEWIS BALTIMORE

Telephone: (703) 308-9140 EXT 202

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/529,700	PCT/DE03/03253	DEBE:056US

FORM PCT/DO/EO/905 (371 Formalities Notice)